

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

JO DEAN NUCHOLS, et al.,  
Plaintiffs,

v.

JAMES BERRONG, et al.,  
Defendants.

)  
)  
)  
)  
)  
)

No. 3:03-CV-301  
(Phillips/Shirley)

**ORDER**

This matter is before the court on plaintiffs' motion pursuant to Federal Rules of Civil Procedure 59(e) and 60(a) to alter or amend the memorandum opinion and judgment entered on August 18, 2006. Plaintiffs' motion is well taken. Accordingly, the memorandum opinion entered on August 18, 2006 [Doc. 78] will be amended as follows:

Additionally, pursuant to 28 U.S.C. §1367(c)(3), the court declines to exercise jurisdiction over plaintiff's state law claims which are **REMANDED** to the Circuit Court for Blount County, Tennessee.

**IT IS SO ORDERED.**

**ENTER:**

s/ Thomas W. Phillips  
United States District Judge